

1 Max Weinstein, Mass. Bar No. 600982

2 Email: max.weinstein@cfpb.gov

3 Admitted *Pro Hac Vice*

4 Colin Hector, Cal. Bar No. 281795

5 Email: colin.hector@cfpb.gov

6 Tracy Hilmer, D.C. Bar No. 421219

7 Email: tracy.hilmer@cfpb.gov

8 Admitted *Pro Hac Vice*

9 CONSUMER FINANCIAL

10 PROTECTION BUREAU

11 1700 G Street, NW

12 Washington, DC 20552

13 Phone: (202) 435-9172 (Weinstein)

14 Phone: (681) 326-7093 (Hector)

15 Phone: (202) 435-7459 (Hilmer)

16 Fax: (202) 435-5468

17 Chung H. Han, Cal. Bar No. 191757

18 Email: chung.han@usdoj.gov

19 U.S. ATTORNEY'S OFFICE

20 300 N. Los Angeles St., Suite 7516

21 Los Angeles, CA 90012

22 Phone: (213) 894-0474

23 Fax: (213) 894-7819

24 *Attorneys for Plaintiff*

25 *Consumer Financial Protection Bureau*

26
27
28
**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Consumer Financial Protection Bureau,

Plaintiff,

v.

Experian Information Solutions, Inc.,

Defendant.

)
) Case Number:
) 8:25-cv-00024-MWC-DFM

)
) **DECLARATION OF TRACY L.
) HILMER IN SUPPORT OF
) PLAINTIFF'S MOTION TO
) STRIKE AFFIRMATIVE
) DEFENSES**

) Judge: Hon. Michelle Williams Court

) Hearing Date: January 30, 2026

) Time: 1:30 PM PST

) Courtroom: 6A
)
)

1 I, Tracy L. Hilmer, having personal knowledge of the facts set forth below,
2 declare:

3 1. I am an Enforcement Attorney employed by the Plaintiff, the
4 Consumer Financial Protection Bureau (the “Bureau”).

5 2. On July 29, 2025, Defendant Experian Information Solutions, Inc.
6 (“Experian”) served on the Bureau Experian’s First Set of Interrogatories
7 (“Interrogatories”) and Experian’s First Set of Requests for Production of
8 Documents (“RPDs”).

9 3. Experian’s Interrogatory No. 16 asked the Bureau to: “State all facts
10 related to the Bureau’s Supervision Division’s referral of its ‘supervisory
11 examination’ or investigation into EIS’s dispute handling procedures to the
12 Enforcement Division, including the violations that the Supervision Division
13 identified as a result of its ‘supervisory examination’ or investigation.”

14 4. Experian’s Interrogatory No. 17 asked the Bureau to: “State all facts
15 related to the Bureau’s statements that it did ‘not intend to cite in an examination
16 or bring an enforcement action against’ a consumer reporting agency whose
17 reinvestigations took ‘longer than the statutory timeframe’ or ‘exceed[ed] the
18 deadlines to investigate . . . disputes’ in its April 1, 2020 *Statement on Supervisory
19 and Enforcement Practices Regarding the Fair Credit Reporting Act and
20 Regulation V in Light of the Cares Act* and its November 9, 2020 letter to Chi Chi
21 Wu of the National Consumer Law Center. *See* ECF No. 25-4 (April 1, 2020
22 statement); ECF No. 25-5 (November 9, 2020 Letter to Chi Chi Wu).”

23 5. Exhibit 1 hereto contains a true and correct copy of Experian’s
24 Interrogatory Nos. 16 and 17.

25 6. Experian’s RPD No. 35 sought from the Bureau: “All Documents and
26 Communications between the Bureau’s Supervision Division and Enforcement
27 Division related to EIS’s dispute handling procedures, including the Bureau’s
28 Supervision Division’s referral of its ‘supervisory examination’ or investigation to

1 the Enforcement Division.”

2 7. Experian’s RPD No. 42 sought from the Bureau: “All Documents and
3 Communications related to the Bureau’s statements that it did ‘not intend to cite in
4 an examination or bring an enforcement action against’ a consumer reporting
5 agency whose reinvestigations took ‘longer than the statutory timeframe’ or
6 ‘exceed[ed] the deadlines to investigate . . . disputes’ in its April 1, 2020 *Statement*
7 *on Supervisory and Enforcement Practices Regarding the Fair Credit Reporting*
8 *Act and Regulation V in Light of the Cares Act* and its November 9, 2020 letter to
9 Chi Chi Wu of the National Consumer Law Center. See ECF No. 25-4 (April 1,
10 2020 statement); ECF No. 25-5 (November 9, 2020 Letter to Chi Chi Wu).”

11 8. Exhibit 2 hereto contains a true and correct copy of Experian’s RPD
12 Nos. 35 and 42.

13
14 Dated: December 15, 2025

Respectfully submitted,
15 /s/ Tracy L. Hilmer
Tracy L. Hilmer
16 Enforcement Attorney
17 CONSUMER FINANCIAL
PROTECTION BUREAU
18 1700 G Street, NW
Washington, DC 20552
19 Email: tracy.hilmer@cfpb.gov
Phone: (202) 435-7459
20 Fax: (202) 435-5468

Exhibit 1

1 Richard J. Grabowski, Bar No. 125666
rgrabowski@jonesday.com
2 John A. Vogt, Bar No. 198677
javogt@jonesday.com
3 Ryan D. Ball, Bar No. 321772
rball@jonesday.com
4 JONES DAY
3161 Michelson Drive, Suite 800
5 Irvine, California 92612.4408
Telephone: +1.949.851.3939
6 Facsimile: +1.949.553.7539

7 Attorneys for Defendant
Experian Information Solutions, Inc.
8

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11
12

13 CONSUMER FINANCIAL
PROTECTION BUREAU,

14 Plaintiff,

15 v.

16 EXPERIAN INFORMATION
17 SOLUTIONS, INC.,

18 Defendant.
19
20
21
22
23
24
25
26
27
28

Case No. 8:25-cv-00024-MWC-DFM

**DEFENDANT EXPERIAN
INFORMATION SOLUTIONS,
INC.'S FIRST SET OF
INTERROGATORIES TO
PLAINTIFF CONSUMER
FINANCIAL PROTECTION
BUREAU**

Amended Complaint Filed:
June 6, 2025

1 file following a reinvestigation by EIS prompted by a consumer's dispute(s),
2 including, but not limited to, the name of each consumer who submitted the
3 underlying dispute that prompted the reinvestigation, the date EIS received each such
4 dispute, the date EIS initiated and concluded each such reinvestigation, the date EIS
5 initially deleted the disputed information from the consumer's file, the date EIS
6 reinserted the disputed information into the consumer's file, and the basis for your
7 contention that the reinsertion of the disputed information violated the FCRA.

8 **INTERROGATORY NO. 12:**

9 Identify each consumer who has been harmed or injured as a result of EIS's
10 conduct alleged in the Complaint, including, but not limited to, the name of the
11 consumer, nature of their injury or damages, the monetary amount of each item
12 injury, the date each injury was incurred, and all facts which form the basis of Your
13 contention that EIS's acts or omissions proximately caused the each injury.

14 **INTERROGATORY NO. 13:**

15 Identify each instance where a consumer was denied credit, housing,
16 employment, or other goods and services, had their credit scored lowered, or obtained
17 credit on less favorable terms as a result of EIS's conduct alleged in the Complaint.

18 **INTERROGATORY NO. 14:**

19 Identify each data furnisher that the Bureau contends is unreliable, and state
20 the basis for your contention that the identified furnisher is unreliable.

21 **INTERROGATORY NO. 15:**

22 For each reinvestigation of a consumer dispute where You contend that EIS
23 violated the FCRA, identify what inaccurate information remained in the consumer's
24 file following EIS's reinvestigation.

25 **INTERROGATORY NO. 16:**

26 State all facts related to the Bureau's Supervision Division's referral of its
27 "supervisory examination" or investigation into EIS's dispute handling procedures
28

1 to the Enforcement Division, including the violations that the Supervision Division
2 identified as a result of its “supervisory examination” or investigation.

3 **INTERROGATORY NO. 17:**

4 State all facts related to the Bureau’s statements that it did “not intend to cite
5 in an examination or bring an enforcement action against” a consumer reporting
6 agency whose reinvestigations took “longer than the statutory timeframe” or
7 “exceed[ed] the deadlines to investigate . . . disputes” in its April 1, 2020 *Statement*
8 *on Supervisory and Enforcement Practices Regarding the Fair Credit Reporting Act*
9 *and Regulation V in Light of the Cares Act* and its November 9, 2020 letter to Chi
10 Chi Wu of the National Consumer Law Center. See ECF No. 25-4 (April 1, 2020
11 statement); ECF No. 25-5 (November 9, 2020 Letter to Chi Chi Wu).

12 Dated: July 29, 2025

JONES DAY

13
14
15 By: /s/ Richard J. Grabowski
Richard J. Grabowski

16
17 Attorneys for Defendant
Experian Information Solutions, Inc.
18
19
20
21
22
23
24
25
26
27
28

Exhibit 2

1 Richard J. Grabowski, Bar No. 125666
rgrabowski@jonesday.com
2 John A. Vogt, Bar No. 198677
javogt@jonesday.com
3 Ryan D. Ball, Bar No. 321772
rball@jonesday.com
4 JONES DAY
3161 Michelson Drive, Suite 800
5 Irvine, California 92612-4408
Telephone: +1.949.851.3939
6 Facsimile: +1.949.553.7539

7 Attorneys for Defendant
Experian Information Solutions, Inc.

8
9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11

12
13 CONSUMER FINANCIAL
PROTECTION BUREAU,

14 Plaintiff,

15 v.

16 EXPERIAN INFORMATION
17 SOLUTIONS, INC.,

18 Defendant.
19
20
21
22
23
24
25
26
27
28

Case No. 8:25-cv-00024-MWC-DFM

**DEFENDANT EXPERIAN
INFORMATION SOLUTIONS,
INC.'S FIRST SET OF REQUESTS
FOR PRODUCTION OF
DOCUMENTS TO PLAINTIFF
CONSUMER FINANCIAL
PROTECTION BUREAU**

Amended Complaint Filed:
June 6, 2025

1 the reinvestigation, convey internally contradictory information about the result, or
2 simply fail to state any result whatsoever.”

3 **REQUEST FOR PRODUCTION NO. 32:**

4 All Documents and Communications relating to Your allegations in Paragraph
5 77 of the Complaint that “Experian’s results letters often provide inaccurate,
6 contradictory, ambiguous, or confusing information to consumers regarding the
7 outcome of their reinvestigation, and fail to inform them of what, if anything,
8 changed on their consumer report as a result of the disputer.”

9 **REQUEST FOR PRODUCTION NO. 33:**

10 All Documents and Communications relating to Your allegations in Paragraph
11 94 of the Complaint that “consumers who have disputed the accuracy of an account
12 and thought that their consumer report had been corrected, instead see the same
13 inaccurate information reappear on their consumer report without explanation under
14 the name of a new furnisher.”

15 **REQUEST FOR PRODUCTION NO. 34:**

16 All Documents and Communications relating to Your allegations in Paragraph
17 107 the Complaint that “[t]he Bureau . . . did not discover those violations prior to
18 the Bureau’s supervisory examination of Experian that commenced on February 1,
19 2021.”

20 **REQUEST FOR PRODUCTION NO. 35:**

21 All Documents and Communications between the Bureau’s Supervision
22 Division and Enforcement Division related to EIS’s dispute handling procedures,
23 including the Bureau’s Supervision Division’s referral of its “supervisory
24 examination” or investigation to the Enforcement Division.

25 **REQUEST FOR PRODUCTION NO. 36:**

26 All Documents related to the Bureau’s supervisory examination of EIS that
27 commenced on February 1, 2021 that the Bureau’s Supervision Division provided or
28 gave access to the Enforcement Division.

REQUEST FOR PRODUCTION NO. 37:

All Documents related to the Bureau's Online Complaint Portal, including, but not limited to, all Documents and information contained therein.

REQUEST FOR PRODUCTION NO. 38:

All Documents related to the Bureau's Consumer Complaint Database, including, but not limited to, all Documents and information contained therein.

REQUEST FOR PRODUCTION NO. 39:

Documents sufficient to identify all Bureau personnel, including, but not limited to, officers, directors, attorneys, staff, or any other individual employed by the Bureau with knowledge of the allegations set forth in the Complaint.

REQUEST FOR PRODUCTION NO. 40:

All Documents and Communications relating to EIS's noncompliance with the FCRA, including, but not limited to, compliance with 15 U.S.C. §§ 1681i(a)(1)(A), (a)(2), (a)(4), (a)(5)(A), (a)(5)(B), (a)(5)(C), (a)(6)(A), or (a)(6)(B), or 1681e(b).

REQUEST FOR PRODUCTION NO. 41:

All Documents and Communications between You and any Person, including but not limited to the National Association of Consumer Advocates, the National Consumer Law Center, Chi Chi Wu, law firm, or public interest organization related the allegations set forth in the Complaint.

REQUEST FOR PRODUCTION NO. 42:

All Documents and Communications related to the Bureau's statements that it did "not intend to cite in an examination or bring an enforcement action against" a consumer reporting agency whose reinvestigations took "longer than the statutory timeframe" or "exceed[ed] the deadlines to investigate . . . disputes" in its April 1, 2020 *Statement on Supervisory and Enforcement Practices Regarding the Fair Credit Reporting Act and Regulation V in Light of the Cares Act* and its November 9, 2020 letter to Chi Chi Wu of the National Consumer Law Center. *See* ECF No.

1 25-4 (April 1, 2020 statement); ECF No. 25-5 (November 9, 2020 Letter to Chi Chi
2 Wu).

3 Dated: July 29, 2025

JONES DAY

4
5 By: /s/ Richard J. Grabowski
6 Richard J. Grabowski

7 Attorneys for Defendant
8 Experian Information Solutions, Inc.
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28